



THE SOLANO COUNTY  
Sheriff's Custody Association, Inc.

# BY-LAWS

**Amended July 1, 2008**

## TABLE OF CONTENTS

ARTICLE I .....	NAME
ARTICLE II .....	OBJECTIVES
ARTICLE III .....	MEMBERSHIP
ARTICLE IV .....	ADMINISTRATION
ARTICLE V .....	OFFICERS
ARTICLE VI .....	BOARD OF DIRECTORS
ARTICLE VII .....	COMMITTEES
ARTICLE VIII .....	MEETINGS
ARTICLE IX .....	PARLIAMENTARY
ARTICLE X .....	DUES
ARTICLE XI .....	EXPENDITURES
ARTICLE XII .....	BY-LAWS
ARTICLE XIII .....	MEMBER OF THE YEAR
ARTICLE XIV .....	RECOGNITION
ARTICLE XV .....	MOU
ARTICLE XVI .....	NEGOTIATIONS



THE SOLANO COUNTY  
Sheriff's Custody Association, Inc.

AMENDMENTS

- #1 - ARTICLE XII, SECTION 7 (6/28/07) ..... EXPENDITURES
- #2 - ARTICLE V, SECTION 1 (7/1/08)..... OFFICERS
- #3 - ARTICLE V, SECTION 2 (7/1/08)..... OFFICERS
- #4 - ARTICLE V, SECTION 4 (7/1/08)..... OFFICERS
- #5 - ARTICLE VIII, SECTION 1 (7/1/08) ..... MEETINGS
- #6 - ARTICLE XI (DELETED) (7/1/08)..... MBRSHIP PINS
- #7 - ARTICLE XII, SECTION 4 (7/1/08) ..... EXPENDITURES
- #8 - ARTICLE XVI, SECTION 1 (7/1/08).....MOU

## **ARTICLE I**

“NAME”

### ***SECTION 1:***

This Association shall be known as “The Solano County Sheriff’s Custody Association, Inc.” The Association is a tax-exempt, non-profit organization as recognized by the United States Internal Revenue Service.

## **ARTICLE II**

“OBJECTIVES”

### ***SECTION 1:***

The objectives of the Association shall be:

1. To actively represent its members, both individually and collectively, in matters relating to their wages, hours, terms, and conditions of their employment, and their employment benefits and status, and in employer-employee relations;
2. To promote the professional welfare of all members;
3. To foster a positive influence in the community;
4. To keep informed of County policies and functions in order to more effectively represent the Association members;
5. To provide a forum for exchange of ideas;
6. To bring together members for social fellowship; and the Board of Supervisors, the State Legislature and all other public and private forums on a political but non-partisan basis.

### ***SECTION 2:***

In matters of common concern, the Association may act cooperatively without their similarly constituted public employee organizations. Where appropriate, the Association may become affiliated with leagues and similar groupings of such organizations. Affiliations shall take effect only if approved by two-thirds vote of the Board of Directors.

### ***SECTION 3:***

The President, with ratification by a majority of the Board of Directors present and voting, may appoint a liaison officer to open and maintain channels of communication and foster harmonious relations between the Association and other employee organizations.

## **ARTICLE III**

### **“MEMBERSHIP”**

#### ***SECTION 1:***

There are three mutually exclusive classes of membership: Active, Retired, and Honorary.

#### ***SECTION 2:***

Active membership is limited to any full time custody division employee whose job title falls under the authority Penal Code Section 831.5 or 830.1 (c) which is defined as a Custodial Officer or Custodial Deputy Sheriff by the Solano County Sheriff's Office; of which are members of the Association, excluding those of a supervisory, administrative positions or ranks otherwise eligible for membership. Only active members have the right to vote, hold office, and are considered as bargaining unit members.

#### ***SECTION 3:***

Retired membership is limited to those persons who are members of the Solano County Sheriff's Custody Association at the time of honorable retirement and whose dues are not delinquent on the date of retirement. Retired members shall be lifetime members and are not subject to the payment of dues. A retired member has all privileges of an active member, except he will not be able to vote or hold an elected office in the Association.

#### ***SECTION 4:***

Honorary members may be any citizen of the United States on who the Association wishes to confer an honorary status of membership for significant accomplishments in Governmental matters and for devoted interest in the aims and purposes of the Association. Such honorary membership may be conferred by a two-thirds (2/3) vote by the Board of Directors. Honorary members shall not be subject to the payment of dues, nor be eligible to vote or hold elected office in the Association.

#### ***SECTION 5:***

Membership may be terminated by the failure to pay dues before they are delinquent. Membership may also be terminated by a two-thirds (2/3) vote of the Board of Directors for action detrimental to the principles and purposes of the Association or unprofessional conduct and/or conduct resulting in dismissal from work; or criminal liability with a guilty finding in a judicial proceeding.

#### ***SECTION 6:***

Non-Bargaining unit members are members as classified by Section 3 and 4 of Article III

## **ARTICLE IV**

### **“ADMINISTRATION”**

#### ***SECTION 1:***

The Board of Directors, hereinafter referred to as the Board, shall be the governing body of the Association and shall consist of the elected officers/directors of the Association

#### ***SECTION 2:***

The Board may employ such administrative, technical and professional persons as required to meet the needs of the Association.

## **ARTICLE V**

### **“OFFICERS”**

#### ***SECTION 1:***

The Officers/Directors of the Association are: The President, Vice-President, Secretary-Treasurer, two directors elected from each jail facility, and two directors at large. There will be two directors from the Fairfield Facility and two directors from the Sentenced Detention Facility. The term of office for the officers/directors shall be two years. The President, Vice President and the two at-large directors shall be elected to office on even years. The Secretary-Treasurer and the four facility directors shall be elected to office on odd years.

#### ***SECTION 2:***

The Officers/Directors shall perform the duties as prescribed in the by-laws and parliamentary authority adopted by the Association. Directors elected to represent a facility shall be allowed to complete their term of office even if transferred from the facility during their term.

#### ***SECTION 3:***

At the June general membership meeting each year, officers/directors for the upcoming term shall be nominated for office. Nominations shall be open as long as there are persons to be nominated and shall close only after all persons have been given sufficient time to nominate the person of their choice. At no time shall nominations remain open beyond the end of said annual meeting. No person shall be nominated for more than one office and nominations for each office will be called for separately. Nominations for the positions of the members from the jail facilities will be taken from members of said facilities only.

## ***SECTION 4:***

### Election Procedure:

1. Robert's Rules of Order shall govern all elections where applicable.
2. Immediately following the nominations the President shall appoint an election committee to consist of three members. None of these shall be current members of the Board, nor shall they be any of those nominated persons.
3. Upon naming of the Committee and the acceptance of each person to serve, all control over the election shall pass to said committee. No person on the Board or other Association member shall countermand any decision made by the Committee except as noted in the By-laws.
4. The Election Committee, upon being seated, shall prepare ballots to be passed out to the members.
5. All ballots shall be distributed within 7 days of nominations, and will include a return envelope. Members are to vote and seal their ballot in the return envelope, and sign their name across the seal.
6. Should a member claim to have not received a ballot, (s) he will contact a member of the Election Committee prior to the close of the election and advise him/her of the problem. The Committee member will immediately investigate, and if it appears that a ballot was, in fact, distributed in one of the prescribed methods, then no new ballot will be issued. If it appears that the ballot was not issued, then the Committee member shall immediately issue the member a ballot. This ballot issuance shall not give any reason for the election to be extended.
7. The election will open at 6:00 AM on the day following distribution of ballots and will remain open for five days, closing at 5:00 PM on the fifth day. If the fifth day is a County holiday, then the election shall be extended to the following day at 5:00 PM.
8. A locked ballot box will be placed in the Fairfield Jail Facility Central Control and the Sentenced Detention Facility Central Control during the times listed above. Members assigned to the Vallejo Court Holding Facility may place their ballots in a sealed envelope and have a member transport them to the Fairfield Facility and place them in the ballot box. Upon close of the election, a member of the Committee shall pick up the ballot box and transport it to the appropriate place chosen by the Election Committee. The ballots will then be removed from the box, tallied, and recorded.
9. Upon close of the election, a member of the Committee shall pick up the ballot box and transport it to the appropriate place chosen by the Election Committee. The ballots will then be removed from the box, tallied, and recorded.
10. Upon completion of the vote count, the chairperson of the Committee shall certify to the President of the Association the results of the election.
11. Within twenty-four (24) hours of this certification, the Election Committee shall personally notify the candidates either in person or by telephone with the results of the election.
12. If there are no appeals, all ballots shall be destroyed immediately.

13. All newly elected Officers shall be seated as of July first, and shall remain in office until June thirty of the following year, unless removed for cause.

#### ***SECTION 5:***

##### Defective Ballots

1. Any ballot, which appears to have been altered, has more than one candidate for each office marked, or otherwise is marked/submitted in a manner that is contrary to the ballot instructions shall be destroyed and not counted.
2. The discovery of such questionable ballot(s) will not and cannot invalidate the election, nor can they be used as a basis of appeal of the election results.

#### ***SECTION 6:***

##### Appeals

1. The only basis for an appeal shall be the fraudulent casting of ballots (more commonly known as ballot stuffing) or voter coercion.
2. Upon receipt of such an appeal, the Secretary shall immediately notify the President and a general membership meeting will be called within two (2) weeks of the receipt of the appeal.
3. At such general membership meeting the appellant or his designated representative shall appear and verbally present the basis for the appeal
4. At the general meeting called for the purpose of the hearing of an appeal, at least one-third (1/3) of the membership must be present. Failure of this quorum to be present automatically defeats the appeal.
5. The appellant may call any and all witnesses that he desires.
6. The burden of proof shall lie with the appellant and shall be by a preponderance of the evidence.
7. After the appellant has presented their case, discussion may ensue among the general membership.
8. For an appeal to be successful there must be a vote of two-thirds (2/3) majority of all members present at the appeals meeting.
9. Once the case has been presented and discussed, there will be a vote cast by the raised hands method.
10. Once the appeals process is completed there shall be no further appeal of those particular charges.
11. If the appeal is upheld, a new election will be held within thirty (30) days of the appeals meeting.
12. If the appeal is defeated, then all ballots will be shredded within thirty (30) days of the appeals meeting.

#### ***SECTION 7:***

##### THE PRESIDENT

The President shall preside at all meetings of the Association and call all meetings to order. He shall sign and execute all contracts in the name of the Association, when authorized to do so by the Board.

***SECTION 8:***

**THE VICE-PRESIDENT**

The Vice-President shall, in the absence of the President, or any other officer, perform the duties of that Officer.

***SECTION 9:***

**THE SECRETARY-TREASURER**

1. The Secretary-Treasurer shall keep true and accurate minutes of all meetings of the Association. The minutes shall be contained in a minute book.
2. Copies of the minutes shall be made available within seventy-two (72) hours of the meeting at both the Fairfield Facility and the Sentenced Detention Facility.
3. The Secretary-Treasurer will attend to all correspondence pertaining to the Association; keeping copies of all correspondence on file for a period of three (3) years.
4. The Secretary-Treasurer shall perform other duties as required by the President.
5. The Secretary-Treasurer shall have the care and custody of all funds and securities of the Association. He shall maintain accounts in the name of the Association at such bank, or banks, as the Board may elect.
6. The Secretary-Treasurer shall sign all checks, notes, and orders for payment to complete all financial business of the Association with either the President or Vice-President co-signing said checks.
7. The Secretary-Treasurer shall maintain complete books and records in accordance with all laws and rules that have jurisdiction over the Association and its activities. The Secretary-Treasurer will maintain records of deposits and expenditures. All fiscal records will be maintained for a period of five (5) years.
8. An audit and I.R.S. tax preparation will be conducted each fiscal year by an independent licensed contractor. This contractor shall be selected by the President and the Secretary-Treasurer. A written report shall be prepared by said contractor and forwarded to the President.
9. The Secretary-Treasurer shall present a report of the Association's financial condition at all membership meetings. Upon written request of any member in good standing, the Secretary-Treasurer shall exhibit all books and accounts for examination.

***SECTION 10:***

**DIRECTORS**

The directors from the Fairfield and Sentenced Detention Facility, and directors-at-large, shall perform all duties assigned by the President.

## **ARTICLE VI**

### **“THE BOARD OF DIRECTORS”**

#### ***SECTION 1:***

The Board of Directors shall consist of the Officers of the Association, the elected members from the Fairfield and Sentenced Detention Facilities. The Board of Directors shall conduct ordinary business of the Association; shall make recommendations to the membership of the Association as the occasion arises, and shall take such executive action as deemed desirable or necessary within the limitations of these by-laws. At any business meeting of the Board of Directors, it will be deemed a quorum of five (5) necessary in order to conduct business.

#### ***SECTION 2:***

The President may fill vacancies on the Board of Directors with confirmation of the appointment by a simple majority vote of members present during a duly constituted general membership meeting. The appointee shall assume the duties of the office immediately and shall serve for the remainder of the unexpired term of the vacancy.

#### ***SECTION 3:***

Regular meetings of the Board of Directors shall be held at least once a month at the time and place designated by the President. A majority of the member of the Board of Directors shall constitute a quorum for the transaction of business. The President may call a special meeting. Notification of the meeting shall be in writing to at least two (2) members of the Board. The President shall at the place and time designate the meeting.

#### ***SECTION 4:***

The order of business at the regular meetings of the Board of Directors shall include:

1. Call to order and Roll Call
2. Reading of the minutes
3. Bargaining Unit Business
4. Report of the Treasurer
5. Executive Director's Report
6. Communications
7. Reports of Committees.
8. Unfinished Business
9. New Business
10. Adjournment.

The order of Business at Special Meetings of the Board of Directors shall be as follows:

1. Call to Order, Roll Call
2. Purpose of the meeting as stated in the call of the meeting by the President

3. Business of the Meeting
4. Adjournment

***SECTION 5:***

Any officer of the Association may be expelled or suspended from office – such expulsion or suspension working as a vacancy in the office – for conduct detrimental to the welfare of the Association. Written charges, signed by a member or officer of the Association shall be filed with the Board of Directors. Notification of the date set for a hearing and a copy of the charges shall be delivered to the accused person. The hearing shall be before the Board of Directors; shall give the accused or his representative an opportunity to be heard; and shall need a two-thirds (2/3) vote make such expulsion or suspension. The decision of the Board of Directors shall be presented in writing to the accused within twenty-four (24) hours of the hearing. Upon written demand, made within ten (10) days of the receipt of the notification, the expelled or suspended member shall have the right to an appeal to the Association as a whole. A special meeting of the Association shall be called to hear the appeal, made in person by the accused or his representative, and to hear such evidence that the Board of Directors may present in support of its actions. It shall take a two-thirds (2/3) vote of those members present and voting to confirm the actions of the Board. The accused member shall have no vote at such meeting. If the action of the Board is not sustained, full rights and privileges, including office, shall be restored to the accused.

***SECTION 6:***

If any officer is absent for three (3) regular meetings without excuse, his office shall be declared vacant.

***SECTION 7:***

The office of any officer shall be declared vacant when that officer separates himself from county employment. The office of any officer shall be declared vacant when dues are declared delinquent.

**ARTICLE VII**

**“COMMITTEES”**

***SECTION 1:***

The President of the Association is authorized to appoint special committees to investigate and report on any specific subject or project. Upon completion of the assignment(s), the committee(s) is/are automatically dissolved.

## **ARTICLE VIII**

### **“MEETINGS”**

#### ***SECTION 1:***

General membership meetings shall be held quarterly in the months of March, June, September and December at the time and place specified by the President.

#### ***SECTION 2:***

Fifteen (15) members of the general membership shall constitute a quorum.

#### ***SECTION 3:***

The annual meeting shall be held the third week in June at the time and place specified by the President.

#### ***SECTION 4:***

Special meetings of the Association may be called by the President and shall be called upon written request of at least ten (10) members of the Association. Such a meeting shall be held at the time and place designated by the President.

#### ***SECTION 5:***

All members shall be notified of all called meetings at least ten (10) days prior to the date of the meeting and such notification shall list the main issues to be considered at such meeting, except that the President, with the confirmation of the Board or negotiating committee, shall be informed to call an emergency meeting at such time and place he shall designate and not written notice shall be required.

#### ***SECTION 6:***

Except as otherwise provided in Article V and Article XIV, all votes on business shall be passed by a simple majority of those present and voting.

#### ***SECTION 7:***

All non-votes shall be considered as “yes” votes.

#### ***SECTION 8:***

All voting shall be by a simple show of hands, unless otherwise requested by a member or officer.

#### ***SECTION 9:***

The President shall not vote except in the event of a tie.

## **ARTICLE IX**

### **“PARLIAMENTARY AUTHORITY”**

#### ***SECTION 1:***

The rules contained in Robert’s Rules of Order (revised), shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these by-laws.

## **ARTICLES X**

### **“DUES”**

#### ***SECTION 1:***

The Association Officers shall determine the eligibility of prospective members.

#### ***SECTION 2:***

All applicants for membership in this association shall pay an initiation fee of twenty (\$20.00) dollars. All applicants for re-instatement in the Association shall pay a re-instatement fee of one hundred (\$100.00) dollars.

#### ***SECTION 3:***

All members of this Association shall pay the prevailing monthly dues to the Association and the prevailing monthly dues as set by the affiliate of the Association.

#### ***SECTION 4:***

Applicants for membership may pay the initiation fee or re-instatement fee in four (4) installments over a period not to exceed sixty (60) days.

#### ***SECTION 5:***

Any member sixty (60) days in arrears on dues shall not hold any office in the Association and shall not vote in any Association business. Any member ninety (90) days in arrears shall be dropped from the membership and shall not be reinstated until all arrearage is paid in full.

#### ***SECTION 6:***

Association dues shall be set by a majority vote of the Association membership. Association dues shall be no less than five (\$5.00) dollars per month.

## **ARTICLE XI**

### **“EXPENDITURES”**

#### ***SECTION 1:***

The President or Secretary-Treasurer of the Association are empowered to expend two-hundred fifty (\$250.00) dollars without notifying the general membership, except if the general membership or Board of Directors has previously voted against the expenditure. This expenditure is specifically meant to benefit the purpose(s) of the Association. (This expenditure can be used to dispatch appropriate communiqués to survivors and/or associates of deceased law enforcement members killed in the line of duty within the State of California.)

#### ***SECTION 2:***

The Board of Directors of the Association is empowered to expend one thousand (\$1,000.00) dollars without notifying the general membership, when that expenditure will benefit the purpose of the Association. This empowerment does not limit the Secretary - Treasurer's authority to handle the usual and customary expenses in the daily operation of the Association.

#### ***SECTION 3:***

An itemized annual budget will be prepared by the Secretary-Treasurer and submitted to the Board at the August Board meeting. The budget will be voted on by members at the membership at the September general membership meeting. Vote will be by the raised hands method.

#### ***SECTION 4:***

Requests for donation of SCA monies by outside organizations or other person(s) will be made in writing to the SCA Board which will approve or disapprove the request.

#### ***SECTION 5:***

A motion for the expenditure of funds of \$500.00 or less made at a general membership meeting is authorized when a simple majority of those in attendance approve the motion. Expenditures in excess of \$500.00 will be referred to the association's executive board for consideration. If approved by a majority of board members, the motion will be referred to the next general membership meeting where it will require a simple majority for approval.

## **ARTICLE XII**

### **“AMENDMENTS TO BY-LAWS”**

#### ***SECTION 1:***

Any amendment to these by-laws must be submitted at a regularly scheduled meeting. The amendment will be voted on by those members present and voting. If a simple majority of those present to vote in favor of the amendment, a ballot will be prepared and mailed to all active members of the Association.

#### ***SECTION 2:***

There shall be ten (10) days to return said ballot to the designated locations. On the Eleventh (11<sup>th</sup>) day, all returned ballots shall be counted by three (3) members appointed by the President and a simple majority of those returned will decide the issue.

#### ***SECTION 3:***

If the amendment is defeated by the membership present at the meeting, the Amendment is to be tabled indefinitely.

#### ***SECTION 4:***

All amendments to and copies of revised by-laws shall be forwarded to the Secretary of State as required for not-profit corporate status.

#### ***SECTION 5:***

Any approved amendment shall take effect immediately unless otherwise stated in the Amendment.

## **ARTICLE XIII**

### Member of the Year

Or

“Custodial Officer/Deputy of the Year”

#### ***SECTION 1:***

Each year a “Custodial Officer/Deputy” shall be chosen by the membership.

#### ***SECTION 2:***

As to the Sheriff’s Department, the purpose of the Custodial Officer/Deputy of the Year is to honor a Custodial Officer/Deputy who has demonstrated a consistently distinguished performance and who displays a strong personal commitment to the professionalism of a Solano County Custodial Officer/Deputy.

#### ***SECTION 3:***

The awards shall consist of a plaque.

#### ***SECTION 4:***

The selection process as the Sheriff’s Office is as follows:

1. The members of the SCA may submit a nomination for Custodial Officer/Deputy of the Year. Along with the nomination, a resume of qualifications of the nominee will be submitted to the Board of Directors or the designated election Committee. All nominations must be signed by the nominator to validate the nomination.
2. All of the nominees will be placed onto a preliminary ballot for vote. Nominees will be listed in alphabetical order. Preliminary ballots will be distributed to members within the unit. Members must sign ballots for validation.
3. The three nominees receiving the most votes will be placed on the final ballot. Nominees will be listed in alphabetical order. The ballots will be delivered to members of the respective units for vote. Members must sign ballots for validation.
4. In the event there are five or less custodial officers/deputies nominated on the preliminary ballot, all names will be placed on the final ballot.
5. Ballots must be completed and placed in the SCA ballot box prior to the election deadline. Ballots received after the deadline will not be counted. In the event a member is unable to complete a ballot (vacation, extended sick leave, etc.) the election committee will make a reasonable attempt to contact the member for purposes of completing a vote by proxy.
6. Ballots will be counted by the election committee and the results will be made known at the following meeting.
7. The name of the Custodial Officer/Deputy of the Year will be forwarded to the Sheriff after the award ceremony.

## **ARTICLE XIV**

### **“CERTIFICATE OF RECOGNITION”**

#### ***SECTION 1:***

A certificate of recognition will be awarded to the Board Members at the end of their term.

#### ***SECTION 2:***

The certificate will acknowledge their participation as a Board Member for the preceding year.

## **ARTICLE XV**

### **“MEMORANDUM OF UNDERSTANDING”**

#### ***SECTION 1:***

1. Ratification of any Memorandum of Understanding (MOU) shall be by ballot.
2. A committee of three (3) persons will be appointed by the President to oversee the ratification process. All control of the process will pass to the committee. No person on the Board or other Association member shall countermand any decision made by the committee except as noted in the by-laws.
3. The committee, upon being seated, shall elect a chairman. The committee will then prepare ballots to be passed out to the members.
4. Upon close of the election, a member of the Committee shall pick up the ballot box and transport it to the appropriate place chosen by the Election Committee. The ballots will then be removed from the box, tallied, and recorded.
5. Upon completion of the vote count, the chairperson of the Committee shall certify to the President of the Association the results of the election. The President shall then call a special membership meeting and the results of the election will be announced.

## **ARTICLE XVI**

### **“NEGOTIATIONS COMMITTEE”**

#### ***SECTION 1:***

1. It is the intent of the negotiations committee to keep the same group of individuals on the committee in order to maintain uniformity and consistency of negotiations. The greatest weight of membership on the negotiations committee shall be the last member who sat on that committee.
2. The negotiations committee will consist of two representatives from the Fairfield Facility, two representatives from the Sentenced Detention Facility, and the current President of the Association.